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SUBJECT: REPORT: 2008 NUCLEAR NON-PROLIFERATION TREATY  
(NPT) PREPARATORY COMMITTEE (PREPCOM) MEETING

Classified By: ISN/MNSA - Marguerita Ragsdale. 1.4 (d) and (f).

11. (U) SUMMARY: The second meeting of the NPT PrepCom in the current review cycle was held in Geneva, Switzerland, from April 28 - May 9. One hundred six Parties participated, including a U.S. delegation led by Special Representative for Nuclear Nonproliferation Christopher Ford, and were able to discuss all aspects of the NPT without procedural obstructions. The meeting was organized into general debate; decisions on procedures; and focused discussion periods on disarmament, security assurances, nonproliferation, regional issues, peaceful uses of nuclear energy, Treaty withdrawal, procedural matters, and the Chairman's summary. Results of the meeting included: the first P-5 statement on the NPT in eight years (and the first ever agreed at a PrepCom); introduction into the NPT debate of concerns about Syrian nuclear activities (including DPRK cooperation therewith); multiple U.S. briefings on disarmament issues; and the intensification of a U.S.-led process of jointly sponsoring papers that can be used to gain consensus among Parties on issues of importance to the United States. As evidenced by the increasing frequency of comments by other delegations about how "some" or "most" nuclear weapon states had made reductions since the end of the Cold War, there seems to be increasing implicit acknowledgement among States Party that China is augmenting its nuclear arsenal. The Chairman issued a summary that sought to reflect the views expressed at the meeting, which included some views objectionable to the United States. In spite of considerable unease with the Non-Aligned Movement's (NAM) choice of Zimbabwe's Permanent Representative to the UN as chair of the 2009 PrepCom, Parties consented to his election, albeit after delaying the issue for several days. Initial Iranian and Cuban objections to having the Third PrepCom take place in New York were also overcome, and Parties agreed to hold the meeting there from May 4 - 15, 2009. END SUMMARY.

(U) MORE MIDDLE EAST POLEMICS

12. (U) Statements by most Western delegations once again criticized Iran's failure to comply with its nonproliferation obligations, and some (e.g., U.S., Canada, France, and Japan) expressed concern about revelations that Syria had been constructing an undeclared reactor that appeared to be well-suited for plutonium production. Only the United States and Canada, however, mentioned the DPRK connection to this Syrian reactor project. Iran denied all charges of non-compliance. It also counter-attacked loudly and with a slightly new strategy, claiming in considerable (if inaccurate) detail that the United States is violating various provisions of the NPT (Articles I, III, IV, and VI). Iran also slammed other Western states (e.g., Australia, Canada, the European Union, and Japan), including asserting that Australia, France, Japan, and the UK have all violated the Treaty as well. Iran released several papers on these subjects.

13. (U) Syria replied to the concern about its activities by

calling the allegations undocumented, untrue, and meant to manufacture a crisis in the Middle East and to destroy the NPT PrepCom. Syria said it could not understand how Canada could criticize Syria but not Israel, and cited this as another example of the double standard that is applied to Israel. Syria continued by saying that the Canadian representative was suffering from a dishonesty "disease." Syria also made a statement that appeared to accuse the United States of having deployed or even used tactical nuclear weapons in the Middle East, an allegation firmly rejected by U.S. Special Representative Ford. (COMMENT: After facing direct U.S. criticism for his claims, the Syrian equivocated in subsequent comments, at one point indicating - despite his earlier clarifications that he had indeed meant nuclear weapons - that he was referring merely to depleted uranium projectiles. However, his final remarks at the PrepCom included no such allegations. END COMMENT)

14. (U) Many Arab and several other NAM member statements cited Israel's non-NPT status as the most important threat to the nonproliferation regime and called for Israel to join the NPT and accept comprehensive IAEA safeguards. (The Arab League said that Israel "must be required" to do so.) Several reiterated that Israel had acknowledged having nuclear weapons in the December 2006 interview by Prime Minister Olmert. Syria said that states' silence on Israel had emboldened Israel into making this declaration of nuclear

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weapons possession. Egypt stated that failure to address the Israeli nuclear issue would further weaken the NPT by driving other Middle East states "to re-evaluate the benefits of the Treaty."

15. (SBU) The NAM expressed its "serious concern" that "Israeli scientists are provided access to the nuclear facilities of one (nuclear weapon state)." Iran was more explicit, accusing the United States of violating the Treaty by assisting Israel's nuclear weapons program and citing the recent agreement between the U.S. Nuclear Regulatory Commission (NRC) and the Israel Atomic Energy Commission (IAEC) ("enabling Zionist regime to access most of the latest nuclear data and technology available in the U.S.") and a purportedly declassified 1974 document that "clearly shows the role of the U.S. in equipping Zionist Regime with nuclear weapons." The U.S. firmly rebutted these allegations. (COMMENT: The NRC possesses no information on nuclear weapons, and its agreement with the IAEC is for the purpose of safety in peaceful uses and does not cover any classified information; the 1974 document contains no information on U.S. nuclear supply to Israel. END COMMENT)

16. (U) An even larger number of Parties, with Egypt in the vanguard, lamented the lack of progress in implementing the 1995 NPT Resolution on the Middle East, which calls for a region free of weapons of mass destruction. The Arab League asserted that Arab states would not have agreed to the decision to extend the Treaty indefinitely without the Resolution. Many called for concrete steps to implement the resolution and suggested that the Treaty depositaries (U.S., Russia, and U.K.) and/or the P-5 have special responsibilities to effect such steps. Arab and other NAM states provided a range of suggestions, including NPT standing committees, a conference among Middle East states, and a regional nuclear-weapon-free zone treaty to help implement the goals of the 1995 resolution.

17. (SBU) Arab governments, including Egypt, increasingly spoke of the 1995 Resolution in terms that derogated from its actual phrasing; they tended to deemphasize or ignore its language about a Middle East free of all weapons of mass destruction and delivery systems, preferring to describe the Resolution as dealing only with nuclear weapons. Because the NPT forum deals with nuclear weapons issues, as opposed to other forms of WMD and related delivery systems, Egypt suggested, the PrepCom and Review Conference should focus

exclusively upon the former, notwithstanding the language of the 1995 Resolution. Also in spite of the Resolution,s reference to the importance of the Middle East peace process in contributing to the achievement of a WMD-free region, Egypt also criticized those (including the United States) who tend to link progress on a nuclear-weapon-free zone in the Middle East to broader peace issues.

(U) EVIDENCE OF DISARMAMENT PROGRESS

¶8. (U) In general, apart from updates by Nuclear Weapons States (NWS) of prior presentations on the NPT,s Article VI (disarmament) issues, little new was said at the PrepCom about disarmament. Many Parties criticized the NWS, particularly the United States, for a perceived lack of progress toward the goals of Article VI. Some non-nuclear weapon states (NNWS) were encouraged by the reinvigoration of disarmament pressures, such as the Shultz, et. al., articles in "The Wall Street Journal," and the UK-sponsored efforts involving both policy and technical experts. The New Agenda Coalition states continued to focus on persuading the NWS to reduce the alert status of their nuclear forces and to report more fully and formally on their nuclear postures and plans.

¶9. (U) Disarmament criticism largely ignored China,s status as the sole NWS to be expanding its nuclear arsenal. However, in contrast to past NPT meetings, a greater number of comments acknowledged progress by "some" or "most" NWS in making reductions. Criticism of NWS, such as the United States, consisted of an acknowledgment of real progress in reductions, in addition to comments that more reductions are needed and calls for moving ultimately to "zero." China seemed somewhat more defensive than usual on Article VI issues, particularly with regard to repeated calls by other delegations for NWS "transparency" - which some delegates privately explained to USG officials as being directed at Beijing (by far the least transparent of the five NWS on such matters).

¶10. (U) The United States continued to publicize U.S. achievements in the area of disarmament. The U.S. Delegation offered two well attended briefings detailing the considerable progress the United States has made in reducing

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nuclear weapons and our strategic dependence on them. The first, which described overall progress, was given by Special Representative Ford and National Nuclear Security Administration Deputy Administrator William Tobey, and was similar to other well-received U.S. briefings given over the last seven months in New York, Vienna, and Geneva. The second was new and initiated following Bureau of Verification, Compliance, and Implementation (VCI) Assistant Secretary Paula DeSutter,s suggestion that the United States and Russia give a joint briefing on the implementation of the Intermediate-Range Nuclear Forces (INF) Treaty. Scheduling difficulties prevented a joint briefing, but Ford and VCI Senior Advisor Harry Heintzelman presented information on the history of the INF agreement and its relevance to the NPT and overall U.S. disarmament efforts.

¶11. (U) Both briefings were well received and added to the weight of U.S. outreach on Article VI. Our efforts clearly seem to have made an impact on Parties, understanding of U.S. accomplishments and perceptions of U.S. transparency on nuclear weapons. Russia also held a well-attended briefing on INF dismantlements and its proposals to globalize the bilateral INF treaty. Russian General Evgeny Buzhinsky gave a technical briefing on Russian disarmament under INF, while Vice Foreign Minister Amb. Anatoly Antonov led the presentation on Russia,s proposal to turn the bilateral INF treaty into a global treaty. While a number of NGO representatives asked highly skeptical questions about the treaty proposal, others in attendance supported the proposal as an idea worthy of further consideration and study.

(U) BUILDING CONSENSUS ON PEACEFUL USES AND WITHDRAWAL BY VIOLATORS

¶12. (U) The U.S. delegation contributed seven working papers to the PrepCom on the following topics: Treaty compliance, the Middle East, peaceful nuclear cooperation, the Global Nuclear Energy Partnership (GNEP), deterring withdrawal from the Treaty by violators, the process for choosing NPT leadership, and financing of meetings. In addition, the Delegation distributed fact sheets on our bilateral cooperative efforts with over 40 countries, which provided clear evidence of our strong record on technical cooperation and were well received. The fact sheets detailed extensive and entirely peaceful U.S. lab-to-lab relationships with many states, including those in the Arab world.

¶13. (SBU) As a means of developing consensus on key NPT issues, U.S. papers on nuclear cooperation and withdrawal were designed to focus on relatively uncontroversial matters in order to attract support from a wide range of NPT Parties. The contentious and politicized nature of some NPT issues (e.g., disarmament) has made it difficult for Parties to reach agreement on any issues at PrepComs and Review Conferences (RevCons). This, in turn, has contributed to a growing feeling in some quarters that the Treaty is in trouble. To counter this trend, the United States sought to develop language that could form the basis for consensus at the 2009 PrepCom, which is meant to provide recommendations to the 2010 RevCon, and at the RevCon itself.

¶14. (SBU) The effort to gain co-sponsors for the papers on nuclear cooperation and withdrawal was a partial success. A number of delegation representatives seemed appreciative - even surprised in some cases - that the United States was taking this initiative. The Delegation convened an informal meeting to discuss the U.S. paper on peaceful uses that was attended by an interesting mix of delegations, most of whom were considering co-sponsorship: Canada, Estonia, France, Germany, Lithuania, Mexico, Nigeria, Sweden, Thailand, and the U.K., all of whom were there because of their interest in co-sponsorship. Japan, Russia, Switzerland and Uzbekistan also expressed interest - Russia even proposed detailed changes bilaterally - but their representatives did not attend. France and the ROK also had papers on which they were seeking co-sponsors, adding to the sense that Parties were taking early steps toward consensus. (COMMENT: A total of 54 papers were submitted to the conference, by various delegations, many of them sponsored by more than one government. END COMMENT)

¶15. (SBU) In the end, France, Thailand, and the U.K. agreed to co-sponsor the U.S. peaceful uses paper, and the ROK the withdrawal paper. A small difference on characterizing the Additional Protocol - necessary to keep the French and UK on board but bothersome to some others - kept several others from sponsoring the former paper; Washington will continue to address this problem in diplomatic channels well in advance of the next PrepCom. (During the PrepCom, many Western states urged that the Additional Protocol, combined with an

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NPT-type safeguards agreement, become the new "safeguards standard," while the NAM cautioned against forgetting the distinction between legal obligations and voluntary confidence building measures.)

¶16. (SBU) The Delegation expects that the differences on the peaceful uses paper can be resolved and the number of co-sponsors on both papers increased before the next PrepCom. Prospects for increasing consensus, possibly including on additional issues, would seem to be promising given that we did not have much time to work out language with other delegations before the PrepCom. Some would-be co-sponsors of the U.S. papers indicated that they wished to support us, but had insufficient time to get clearance from capitals. Finally, difficulty over the treatment of sensitive nuclear

technology kept the United States from co-sponsoring a French-drafted paper on nuclear energy, but this was less a substantive problem than a result of insufficient time for the French to re-clear a U.S. suggestion with other cosponsors. (COMMENT: Whether this type of effort will be able to help give a positive dimension to an otherwise highly contentious review cycle remains to be seen. END COMMENT)

(U) THE P-5 AGREES

¶17. (C) Another effort to improve the prospects for future constructive consensus occurred among the P-5. The prospect of a P-5 statement first arose at a meeting of P-5 representatives in March. This discussion focused upon the idea of having a P-5 statement only on peaceful use issues, but prior to the PrepCom, the UK circulated a draft statement covering most of the major aspects of the Treaty. P-5 cooperation has been growing during the Treaty review cycle, including in several meetings at the first PrepCom and at intersessional gatherings in New York and Geneva. On the margins of the second PrepCom, P-5 delegations held several fairly intensive discussions on successive drafts and ultimately reached agreement on an 11-paragraph statement that was read on behalf of the P-5 by U.K. Ambassador John Duncan at the last plenary session. In spite of apparently deliberate leaks by the Chinese toward the end of the process, P-5 participants were able to keep their discussions mostly under wraps, thereby avoiding likely disappointment if agreement had not been reached, and creating a positive atmosphere when it was.

¶18. (C) The most difficult issues were whether to include language on the revelations about the Syrian reactor, and what to say about the work of the Conference on Disarmament (CD). Russia initially proposed unacceptable language on the Comprehensive Nuclear-Test-Ban Treaty (CTBT), nuclear-weapon-free zones, missile defense, and the INF Treaty that it dropped at the first meeting. However, Russia refused to include anything about Syria, even after France proposed language derived from the public statement on the issue by IAEA Director General El-Baradei. (COMMENT: Russia claimed that given the upcoming Russian national holiday, there was insufficient time to clear any new language whatsoever in Moscow. The Russian representative would discuss only proposed deletions from the draft text, but not any additions. END COMMENT) China held out until near the end for language on the CD that would have undermined progress there toward commencing negotiations on a Fissile Material Cutoff Treaty. Given its sensitivity and the special roles of the NWS, language on other disarmament issues was also the subject of intensive negotiations.

¶19. (U) As this was the first P-5 statement at an NPT meeting since the year 2000, and apparently the first ever achieved at a PrepCom, it received favorable press and diplomatic commentary as illustrating the constructive nature of the 2008 PrepCom. The positive impression made by the statement was also valuable in light of a display of P-5 disunity on the floor of the PrepCom earlier in the meeting, when the Russian and Chinese ambassadors quarreled publicly with the British ambassador over the latter's characterization of the Iran-related outcome of the P-5 Ministerial meeting in London on May 2, 2008.

(U) CHAIRMAN'S FACTUAL SUMMARY AND THE FINAL, HEATED WORDS

¶20. (C) A substantive issue that might have become another procedural problem was the Chairman's "factual summary." NPT Parties agreed in 2000 that "the consideration of the issues at each session of the PrepCom should be factually summarized and its results transmitted in a report to the next session for further discussion." PrepCom chairs since have performed this function. Iran strongly fought last year's summary until the last moment, blocking its incorporation into the formal PrepCom report but finally accepting its attachment as



a "Chairman's Working Paper." Given the near-certainty that this would happen again, PrepCom Chair Amb. Yelchenko (Ukraine) announced at the last plenary session that he was not in a position to annex his summary to the PrepCom report and would therefore turn it into a working paper. (COMMENT: This unilateral decision by the Chairman was also intended to provide him an opportunity, pursuant to private discussions with the U.S. Delegation, to make some much-needed alterations to inaccurate or otherwise problematic language in his summary, which had already been distributed to delegations in draft form. END COMMENT)

¶21. (SBU) In an agreement beforehand with the Chairman, Ford criticized Yelchenko's draft for treating Iran too softly. (The U.S. Delegation had done the same in 2007 with then-Chairman Amano's summary.) Ford noted that last year's summary had also been generous to Iran, yet the proliferation challenge of Iran had worsened. He added that the 2008 summary's reference to Syria failed to reflect fully its evasion of its nonproliferation obligations and the involvement of North Korea, which was of obvious concern to States Party. Ford also said that, although the U.S. is accustomed to unfair and disproportionate criticism on disarmament, the summary still overplayed claims made against the U.S. and failed accurately to recount detailed information presented about U.S. disarmament-related progress. Finally, he stated in no uncertain terms that, contrary to repeated allegations at the PrepCom, the U.S. does not engage in any nuclear weapons-related cooperation with Israel whatsoever.

¶22. (U) Iran's Ambassador Soltanieh's response to the summary was characteristically shrill. He opined that the section of the summary dealing with Iran's noncompliance was not logical and that President Bush and U.K. Prime Minister Brown were naive to urge that Iran be prevented from enriching uranium, since it was now a "master of enrichment technology." Furthermore, Iran was pleased with what it called an "achievement" of the PrepCom: "The shameful silence of the U.S. on Article VI and Article I has now been broken," in part because the United States had been "forced to report" on cooperation with Israel. Iran, therefore would "push to have verification of what the U.S. said." Iran also complained that the summary was weak on both disarmament and proliferation by the NWS through their cooperation with non-NPT states.

¶23. (U) In its closing remarks, Syria emphasized its working paper's allegations of U.S. "violations" of the NPT, asserting that they were facts, not rhetoric. It hoped that the third PrepCom would produce "truthfulness and honesty" from the United States. Egypt expressed appreciation for the P-5 statement's language on the 1995 Middle East Resolution (as did Syria) and the hope that its words would turn into deeds. Egypt had serious concern over the language in Yelchenko's summary on the Middle East, especially its reflection of the position - held by the United States and others, and indeed embodied in the 1995 Resolution itself - linking implementation of the 1995 Resolution to progress toward comprehensive peace in the region.

(U) PROCEDURAL ISSUES RESOLVED BEHIND THE SCENES

¶24. (SBU) The PrepCom was free of procedural obstructions, which had delayed substantive work at both the 2005 RevCon and the 2007 PrepCom. However, another disturbing reflection of NAM attitudes and practices regarding the NPT was its choice of Zimbabwe's Permanent Representative to the UN Boniface Guwa Chidyausiki to chair the 2009 PrepCom. Even if Amb. Chidyausiki had the requisite skills to manage a major multilateral conference - and there is every reason to think that he does not - the symbolism of choosing a Zimbabwean official at the very time that his government was intensifying its violent suppression of civil and human rights was discouraging.

¶25. (C) Seeking, per instructions, to see whether the

Zimbabwean nomination could be derailed without provoking a fight with the NAM, which carefully protects its prerogatives in NPT fora, the United States conducted demarches before and during the PrepCom, both in capitals and with delegations in Geneva, to encourage African governments to find a replacement for Amb. Chidyausiki. With commendable support from Canadian Ambassador Marius Grinius and his minister, Colleen Swords, and despite outright refusals to cooperate from other powers, including British Ambassador John Duncan, the Delegation was able to persuade Chairman Yelchenko to postpone formal PrepCom action on the nomination for more than a week while these efforts were being carried out.

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¶26. (SBU) The Delegation learned that many African governments did not like the choice of Chidyausiki, and some did not even seem to know that it had been made. Several of them were interested in withdrawal of the Zimbabwean nomination, and some were eager to take advantage of the situation if this happened, but they were unwilling to work to bring it about. Nigeria said that it had an alternate candidate in mind and wanted to chair the third Prepcom, because it was concerned that Nigeria had not recently taken any positions of leadership in UN fora and did not want to appear to be "fading from the scene." However, a Nigerian representative told us that Lagos would not put this individual forward unless something changed regarding the Chidyausiki nomination, because her government was not willing to be seen by other African states as taking advantage of the political situation in Zimbabwe. She reiterated that if some other government objected to Chidyausiki's nomination, Nigeria remained ready to put forward a candidate to chair the third PrepCom.

¶27. (C) Thus, for the U.S. delegation the only alternative to acquiescence was overt opposition to consensus on the nomination - which would have contravened the delegation's explicit instructions. Given these circumstances and the fact that no other Party was prepared to challenge the nomination, the United States did not object on the record and the Zimbabwean was elected with no discussion.

¶28. (SBU) The other difficult procedural issue was the choice of venue for the third PrepCom and the RevCon. Iran, with the support of NAM chairman Cuba, had blocked consensus at the 2007 PrepCom on the traditional choice of New York for these meetings on the grounds that the United States made it difficult for their delegates to obtain visas for the meetings. Iran continued this opposition for part of the 2008 meeting, speaking out on the subject - again with Cuban support - at NAM meetings and with the Chairman. No other Parties, however, supported Iran's position, and Tehran was apparently unwilling to torpedo consensus on the PrepCom report over this issue alone. The Iranians thus began an effort to save face by persuading Chairman Yelchenko to say something on the subject during the plenary. After a great deal of behind-the-scenes discussion with the U.S. and Iranian delegations, Yelchenko obtained Iranian agreement not to block the choice of New York for the two meetings. When the decision was taken in plenary, the Chairman merely stated his understanding that access to New York would be given "pursuant to longstanding diplomatic practice." (COMMENT: This was phrasing suggested to him by the United States, replacing earlier language that he had urged upon us that would have promised unrestricted attendance, in effect, by anyone whom Iran wished to send. END COMMENT.) Iran's decision to back down in return for this "reassurance" that nothing would be done differently from before reflected a lack of support for Iran's position among NAM governments keen to keep NPT events in New York for staffing and resource reasons, as well as the impact of statements by the U.N. Secretariat that, for logistical reasons, neither Geneva nor Vienna would be available as a PrepCom location in 2009.

¶29. (U) Finally, the U.S. Delegation advanced U.S.

objectives regarding financing and the selection of RevCon and PrepCom leaders. Special Representative Ford raised in the plenary U.S. proposals for cutting costs, revising the scale of financial assessments for NPT meetings, and creating a fairer system for choosing meeting leaders. These proposals were reinforced by the U.S. working papers on these topics. The Secretary of the Committee, Tom Markram of the UN Secretariat, helpfully took the floor after the U.S. statement on financing to reinforce the merits of its points on cost-cutting.

(U) REFERENCES

¶30. (U) Those interested in further detail can go to the UN,s NPT PrepCom webpage - <http://www.un.org/NPT2010/SecondSession/>, which includes all conference documents, opening statements, and the P-5 statement. Other U.S. statements and papers can be found at the website of the U.S. Delegation to the CD - <http://geneva.usmission.gov/CD/NPTprepComPage.html> (these materials will also be placed on the State.Gov site). In addition, summaries of each of the PrepCom,s 15 sessions are available from ISN/MNSA (Scott Davis - [davisms@state.gov](mailto:davisms@state.gov)).  
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